

Filed for intro on 01/09/2001  
HOUSE BILL 2 By  
Boyer

SENATE BILL 2  
By McNally

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to the offense of aggravated assault.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following new subsection (d) and by relettering present subsection (d) accordingly:

(d)

(1) A person commits aggravated assault who knowingly commits an assault as defined in § 39-13-101, by propelling, projecting or throwing a bodily fluid at or otherwise causing a bodily fluid to make physical contact with a public employee set out in subsection (e) of this section.

(2) For the provisions of this subsection to apply, the defendant must know or reasonably should know that the victim of the assault is a public employee set out in subsection (e) and such employee must be in the actual discharge of official duties at the time of the assault.

(3) As used in this subsection, "bodily fluid" means blood, emesis, feces, mucus, saliva, semen, vaginal fluid or urine.

(4) If a person is convicted under this subsection, the enhancement factor set out in subsection (e) of this section shall not be applicable.

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following new sentence between the second and third sentences of present subsection (d):

Aggravated assault under subsection (d) is a Class E felony.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.